

#6
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JUN 27 2003
PTO/SB/14A (05-04-01)
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b) Docket Number (Optional)

First named inventor: *Mawahib M. EL-Nagger* FAX RECEIVED
 Application No.: *09/943,048* Art Unit: *1614* JUN 30 2003
 Filed: *Aug 30, 2001* Examiner:
 Title: *Treatment of Inflammatory, Cancer, and thrombotic disorders* PETITIONS OFFICE
 Attention: Office of Petitions
 Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450
 FAX: (703) 308-6916

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee — required for all utility and plant applications filed before June 8, 1995; and for all design applications; Credit Card Refund Total: \$190.00
- (4) Statement that the entire delay was unintentional.

1. Petition fee

Small entity fee \$ *640* (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

Adjustment date: 07/15/2003 AKELLEY

07/03/2003 AKELLEY 00000018 09943048

01 FC:1999 Other than small entity fee \$ *190.00* (37 CFR 1.17(m))

02 FC:1999 *650.00* (37 CFR 1.17(m))

Refund Ref:	07/15/2003	0030012113
Credit Card Refund Total:		\$190.00

VISA.....: XXXXXXXXXXXX5819

Refund Ref: 07/15/2003 0030012114

Credit Card Refund Total: \$840.00

UTSA: 07/15/2003 (Date of filing/reply):

650.00
190.00
190.00

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of *an amendment*

has been filed previously on *September 10/2002*

is enclosed herewith.

B. The issue fee of \$ *190.00*

has been paid previously on *September 10/2002*

Adjustment date: 07/15/2003 issued herewith,

07/01/2003 AKELLEY 00000011-09943048

02 FC:1999 *190.00* (37 CFR 1.17(m))

[Page 1 of 2]
 This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

07/01/2003 AKELLEY
 FC:2453
 12 FC:1999

JUN 30 2003

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JUN 27 2003

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PTO/SB/64 (05-03)

Approved for use 04/30/2003. OMB 0651-0091

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

3. Terminal disclaimer with disclaimer fee

- Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

06/26/03

Date

Mawahel

Signature

Telephone

Number:

518-283-7659Mawahel M. El-Waggon

Typed or printed name

5 Fox Glove ct

Address

Wynantskill, NY 12198

Address

Enclosures: Fee Payment Reply Terminal Disclaimer Form Additional sheets containing statements establishing unintentional delay Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-8916.

6/29/03

Date

Mawahel

Signature

Mawahel M. El-Waggon

Type or printed name of person signing certificate

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CANCELED
JUN 2003

PETITIONS OFFICE

JUN 30 2003

Notice of Abandonment

Application No.	Applicant(s)	PETITIONS OFFICE
09/943,048	EL-NAGGAR ET AL.	
Examiner	Art Unit	
Brian S Kwon	1814	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. Applicant's failure to timely file a proper reply to the Office letter mailed on 10 April 2002.
 - (a) A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of. (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) No reply has been received.
2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) The issue fee and publication fee, if applicable, has not been received.
3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) No corrected drawings have been received.
4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. The reason(s) below:


 BRIAN S. KWON
 PETITIONS EXAMINER
 GROUP 1814

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

JUN 27 2003
CANCELLED
U.S. PATENT & TRADEMARK OFFICE

Approved for use through 04/30/2003 OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

JUN 30 2003

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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)**855**

Complete if Known

Application Number	09/943,648
Filing Date	Aug 30, 2001
First Named Inventor	Mawaleeb M. EL-Naggar
Examiner Name	B. Kwon
Art Unit	1614
Attorney Docket No.	

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

Deposit Account:

Deposit Account Number	
Deposit Account Name	

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	X	
			- 3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	" Reissue independent claims over original patent
1205 18	2205 9	" Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		

** or number previously paid, if greater. For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 190	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 65	Extension for reply within first month	
1252 410	2252 205*	Extension for reply within second month	205
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650*	Petition to revive - unintentional	650
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 915	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1808 180	1808 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 780	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 760	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 760	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)			

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) **855**

SUBMITTED BY

Name (Print/Type)	Mawaleeb M. EL-Naggar	Registration No. (Attorney/Agent)		Telephone	518-283-7659
Signature	Mawaleeb			Date	06/29/03

(Complete if applicable)

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Mawaheb M. El-Naggar,
5 Fox Glove Ct.,
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518-283-7659

Fax

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JUN 27 2003
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To: Office of Petitions

From: Mawaheb M. El-Naggar

Fax: 703-308-6916

Pages: 1-15 including cover page

Phone: 703-305-9282

Date: 06/29/2003

Re: Application # 09/943,048

CC: Ahmed S. Mousa

Urgent For Review Please Comment Please Reply Please Recycle